

REMARKS

Status of Claims:

Claims 1-39 remain cancelled. Claims 40 and 54 are currently amended.

Thus, claims 40-69 are pending in the application. A detailed listing of all claims that are in the application, is presented, with appropriately defined status identifiers.

Claim Rejections Under 35 U.S.C. 102:

Claims 68 and 69 are rejected under 35 U.S.C. 102(e) as being anticipated by Huart et al. (U.S. Patent No. 7,013,267) (hereinafter Huart).

With respect to claims 68 and 69, the rejection is respectfully traversed.

Independent claim 68 recites a voice data receiving system, comprising:

“a packet division unit configured to divide each of a plurality of received packets into a corresponding plurality of real-time communication packets; and

a communication terminal configured to reproduce voice data based on the corresponding plurality of real-time communication packets for each of the plurality of received packets.” (Emphasis Added).

Huart neither discloses nor suggests a voice data receiving system including the above-quoted features with a packet division unit configured to divide each of a plurality of received packets into a corresponding plurality of real-time communication packets.

The Office Action asserts that the voice samples of Huart are real-time communication packets. (Office Action; page 2). However, contrary to the assertion made in the Office Action, the voice samples of Huart are **not** real-time communication packets. In signal processing, a sample refers to a value of a signal at a point in time. For example, samples may be obtained from a continuous signal by periodically measuring a value of the signal. In Huart, the voice samples merely specify digital values sampled from a continuous speech signal. (Huart; column 7, lines 7-9). Huart **explicitly distinguishes** between packets

and voice samples throughout the entire Huart reference, where voice samples merely represent values of a speech signal, while packets include headers and/or footers that encapsulate data to be communicated over a network in accordance with a communication protocol. (Huart; column 3, lines 34-37; column 3, lines 63-67; column 5, lines 27-34). The voice samples in Huart are **not** a result of packetizing data in accordance with a communication protocol, but rather are merely obtained by sampling a speech signal to provide voice information. (Huart; column 7, lines 7-9). Thus, the voice samples of Huart are **not** real-time communication packets.

Therefore, independent claim 68 is neither disclosed nor suggested by the Huart reference and, hence, is believed to be allowable.

Independent claim 69 recites a method with features similar to features of a voice data receiving system of independent claim 68 and, thus, is believed to be allowable for at least the same reasons that independent claim 68 is believed to be allowable.

Claim Rejections Under 35 U.S.C. 103:

Claims 40-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huart in view of McDonald (U.S. Patent No. 6,480,827).

With respect to claims 40-67, the rejection is respectfully traversed.

Independent claim 40, as amended, recites a voice data transmitting system, comprising:

“a communication terminal configured to generate packets based on voice data;

a voice recognizer unit configured to determine divisions of utterances represented by the voice data at which there are pauses in speech, and configured to divide the voice data into clause units in accordance with the divisions in a manner such that in a case where a part of the voice data specifies a plurality of speech sounds between two of the divisions, a corresponding clause unit of the

clause units includes the part of the voice data that specifies the plurality of speech sounds; and

a packet combine unit configured to combine, for each of the clause units, every packet of said packets that includes portions of the voice data for the clause unit into a corresponding single packet.” (Emphasis Added).

Neither Huart nor McDonald, alone or in combination, discloses or suggests a voice data transmitting system as claimed in the present independent claim 40.

The Office Action points to column 3, lines 8-14, and column 7, lines 31-34, of the Huart reference as disclosing “combining multiple packets into a corresponding single packet”. (Office Action; page 3) (Emphasis Added). The Office Action asserts that the voice samples of the Huart reference are packets. (Office Action; page 3). However, contrary to the assertion made in the Office Action, the voice samples of Huart are **not** packets. In signal processing, a sample refers to a value of a signal at a point in time. For example, samples may be obtained from a continuous signal by periodically measuring a value of the signal. In Huart, the voice samples merely specify digital values sampled from a continuous speech signal. (Huart; column 7, lines 7-9). Huart **explicitly distinguishes** between packets and voice samples throughout the entire Huart reference, where voice samples merely represent values of a speech signal, while packets include headers and/or footers that encapsulate data to be communicated over a network in accordance with a communication protocol. (Huart; column 3, lines 34-37; column 3, lines 63-67; column 5, lines 27-34). The voice samples in Huart are **not** a result of packetizing data in accordance with a communication protocol, but rather are merely obtained by sampling a speech signal to provide voice information. (Huart; column 7, lines 7-9). Thus, the voice samples of Huart are **not** packets. As a consequence, neither Huart nor McDonald, alone or in combination, discloses or suggests “a packet combine unit configured to combine, for each of the clause units, every packet of said packets that includes portions of the voice data for the clause unit into a corresponding single packet.” (Emphasis Added).

The Office Action recognizes that Huart does not disclose “dividing the voice data into clause units in accordance with the divisions”. (Office Action; page 3). The Office

Action then points to the phonemes of McDonald as being clause units. (Office Action; page 4). However, independent claim 40 has now been amended to recite that “in a case where a part of the voice data specifies **a plurality of speech sounds** between two of the divisions, a corresponding **clause unit** of the clause units **includes the part of the voice data that specifies the plurality of speech sounds**”. (Emphasis Added). In McDonald, each phoneme represents only a **single** speech sound. (McDonald; column 4, lines 21-26). Thus, in the system of McDonald, if there are a plurality of speech sounds between pauses, it is **impossible** to have a phoneme that includes the plurality of speech sounds, because each of the phonemes represents only a single speech sound. (McDonald; column 4, lines 46-54; column 5, lines 53-61). As a consequence, neither Huart nor McDonald, alone or in combination, discloses or suggests “a voice recognizer unit ... configured to divide the voice data into clause units in accordance with the divisions in a manner such that in a case where a part of the voice data specifies a plurality of speech sounds between two of the divisions, a corresponding **clause unit** of the clause units includes the part of the voice data that specifies the **plurality of speech sounds**”. (Emphasis Added).

Therefore, independent claim 40, as amended, is neither disclosed nor suggested by the Huart and McDonald references, alone or in combination, and thus is believed to be allowable. The Patent Office has not made out a *prima facie* case of obviousness under 35 U.S.C. 103. Because they depend from independent claim 40, dependent claims 41-53 are believed to be allowable for at least the same reasons that independent claim 40 is believed to be allowable.

Independent claim 54, as amended, recites a method with features similar to features of a voice data transmitting system of independent claim 40 and, thus, is believed to be allowable for at least the same reasons that independent claim 40 is believed to be allowable. The Patent Office has not made out a *prima facie* case of obviousness under 35 U.S.C. 103. Because they depend from independent claim 54, dependent claims 55-67 are believed to be allowable for at least the same reasons that independent claim 54 is believed to be allowable.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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